

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

INNOVATIVE GLOBAL SYSTEMS LLC,

Plaintiff,

vs.

VOLVO CONSTRUCTION EQUIPMENT
NORTH AMERICA, INC., et al.,

Defendants.

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CIVIL ACTION NO. 6:10-cv-00327

JURY TRIAL DEMANDED

JOINT MOTION TO EXTEND CERTAIN DEADLINES

Plaintiff INNOVATIVE GLOBAL SYSTEMS, LLC (“Plaintiff” or “IGS”), Caterpillar, Inc. (“Caterpillar”), Volvo Construction Equipment North America, Inc. (“Volvo Construction”), Volvo Trucks North America, Inc. (“Volvo Trucks”), and StarTrak, LLC (“StarTrak”) (collectively referred to herein as “Parties”) jointly file this Unopposed Motion to Extend Certain Deadlines, and in support thereof, shows the Court the following:

1. The Court’s Docket Control Order of December 21, 2010 set forth the deadline for the parties to exchange privilege logs on May 23, 2011 and the deadline to comply with P.R. 4-3 and file a Joint Claim Construction and Prehearing Statement on June 6, 2011.

2. The deadline to exchange privilege logs was extended by this Court until June 6, 2011 after a Joint Motion to extend the deadline. Accordingly, the deadline for the parties to both comply with P.R. 4-3 and exchange privilege logs is currently June 6, 2011

3. The only four remaining defendants of the initial twelve in this case are Caterpillar, Volvo Construction, Volvo Trucks, and StarTrak.

4. The Parties now seek an extension of the deadline to comply with P.R. 4-3 and the deadline to exchange privilege logs until Monday, June 20, 2011 so that they can determine whether settlement negotiations can be brought to fruition.

5. Such extension is not being sought for delay, and will not disrupt any of the upcoming *Markman* briefing deadlines set forth by this Court.

WHEREFORE, PREMISES CONSIDERED IGS, Caterpillar, Volvo Construction, Volvo Trucks, and StarTrak respectfully request the Court enter an order granting an extension of the deadline to comply with P.R. 4-3 and to exchange privilege logs until June 20, 2011.

Dated: June 6, 2011.

Respectfully submitted,

<p><u>/s/ Gregory J. Commins, Jr.</u> DC Bar No. 435440 Robert G. Abrams DC Bar No. 211557 BAKER & HOSTETLER LLP Washington Square, Suite 1100 1050 Connecticut Avenue, N.W. Washington, DC 20036 Ph.: 202-861-1500 Fax: 202-861-1783 rabrams@bakerlaw.com gcommins@bakerlaw.com</p> <p>Gary James Fischman State Bar No. 0787469 WINSTON & STRAWN LLP 1111 Louisiana, 25th Floor Houston, TX 77002-5242 Ph.: (713) 651-2637 – direct Ph.: (713)-651-2600 – main Fax: (713)-651-2700 gfischman@winston.com</p> <p>ATTORNEYS FOR DEFENDANT CATERPILLAR, INC.</p>	<p><u>/s/ Michael T. Cooke</u> State Bar No. 04759650 Jonathan T. Suder State Bar No. 19463350 Todd I. Blumenfeld State Bar No. 24067518 Friedman, Suder & Cooke Tindall Square Warehouse No. 1 604 E. 4th Street, Suite 200 Fort Worth, TX 76102 P: 817.334.0400 F: 817.334.0401 mtc@fsclaw.com jts@fsclaw.com Blumenfeld@fsclaw.com</p> <p>Keith A. Rutherford R. Scott Reese Sarah R. Cabello Wong, Cabellow, Lutsch, Rutherford & Brucculerri, LLP 20333 SH 249, Suite 600 Houston, TX 77070 P: 832.446.2400 F: 832.446.2424 krutherford@counselip.com</p>
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<p><u>/s/ Aaron Michael Levine</u> State Bar No.: DC-474,657; NY-2997203 Gregory Vincent Novak State Bar No. 15119600 NOVAK DRUCE + QUIGG LLP 1000 Louisiana St., 53rd Floor Houston, Texas 77002 Ph.: 713.571.3400 Fax: 713.456.2836 greg.novak@novakdruce.com aaron.levine@novakdruce.com</p> <p>ATTORNEYS FOR DEFENDANTS VOLVO CONSTRUCTION NORTH AMERICA INC., VOLVO TRUCKS NORTH AMERICA, INC., AND STARTRAK SYSTEMS, LLC</p>	<p>sreese@counselip.com scabello@counselip.com</p> <p>Eric M. Albritton Stephen E. Edwards Eric M. Albritton, P.C. P.O. Box 2649 111 West Tyler Street Longview, TX 75601 P: 903.757.8449 F: 903.758.7397 ema@emafir.com see@emafirm.com</p> <p>Tomas John Ward, Jr. Jack Wesley Hill Ward & Smith Law Firm P.O. Box 1231 Longview, TX 75606 P: 903.757.6400 F: 903.757.2323 jw@jwfir.com wh@jwfir.com</p> <p>ATTORNEYS FOR PLAINTIFF INNOVATIVE GLOBAL SYSTEMS, LLC</p>
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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of June, 2011, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Michael T. Cooke